

Application No. 09/924,955  
Inventor: Una QUINLAN  
Application Filed: August 8, 2001  
Response and Amendment to Office Action mailed June 08, 2005

### REMARKS/ARGUMENTS

Preliminarily, further to the Amendment filed on June 06, 2005, Applicant herein respectfully requests the updating of the correspondence address to Applicant's representative associated with Customer No. 30349, as well as attorney docket number for this application which is now TC-04-05.

Reconsideration is respectfully requested. Claims 1, 3-11, 13-14, 16-18, and 20-24 are pending. Claims 1, 18, and 20 are amended to further define the embodiments of the present invention. Claims 13, 14, 16, and 17 are amended to correct for proper dependency. Claims 2, 12, 15 and 19 are herein cancelled without prejudice. Claims 21-24 are newly added.

For the reasons set forth below, Applicant respectfully submits that all pending claims are now allowable.

#### I. Obviousness Rejections

Claims 1-11, 13, 14, 16-20 are rejected as obvious over US Patent No. 6,728,216 ("Sterner") in view of US Patent No. 5,884,041 ("Hurwitz"). See Office Action, p.2.

Claim 1 now is directed to a combination including connecting the two devices together at least one of the devices including a plurality of registers, each register being adapted to store data about one or more types of said failure, running an auto-negotiation sequence, detecting said failure and passing signals relating to that failure to the relevant register(s), interrogating the or each register, and determining the type of said failure from a plurality of types of failure, and wherein the step of determining the type of said failure includes the step of determining the data in the relevant register(s) and from said data, indicating the type of said failure and/or a proposed course of action. claim 18 is now directed to a system for diagnosing, in a network comprising two devices connectable by a link, the type of failure of the connection between the devices.

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comprising: at least two device configured to connect together, at least one of the devices including a plurality of registers, each register being adapted to store data about one or more types of said failure, wherein the system is configured to run an auto-negotiation sequence; detect said failure and passing signals relating to that failure to the relevant register(s); interrogate the or each register; and determine the type of said failure from a plurality of types of failure, and wherein the system is further configured to determine the data in the relevant register(s) and from said data indicate a type of said failure and/or a proposed course of action, and claim 20 is now directed to a program storage device readable by a machine, tangibly embodying a program of instructions executable by the machine to perform a method for diagnosing, in a network comprising two devices connectable by a link, the type of failure of the connection between the devices. said method comprising the steps of: connecting the two devices together at least one of the devices including a plurality of registers, each register being adapted to store data about one or more types of said failure, running an auto-negotiation sequence, detecting said failure and passing signals relating to that failure to the relevant register(s), interrogating the or each register, and determining the type of said failure from a plurality of types of failure, and wherein the method includes the step of determining the data in the relevant register(s) and from said data indicating the type of said features and a proposed cause of action.

As understood, none of the cited references including the combined teaching of the Sterner and Hurwitz references discloses or otherwise suggests the claimed invention as set forth in the pending independent claims 1, 18 and 20. Accordingly, Applicant respectfully submits that all pending claims are allowable.

With respect to the Examiner's rejections as set forth in the Office Action mailed June 08, 2005. Applicant respectfully traverses, in view of the above distinguishing the present invention from the cited references. Applicant respectfully submits that all pending claims are allowable.

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**CONCLUSION**

For the foregoing reasons, Applicant respectfully submits that all pending claims 1, 3-11, 13-14, 16-18, and 20-24 are now allowable.

If the Examiner deems a telephonic discussion of the pending application would be helpful in the examination of the pending claims. Applicant invites the Examiner to contact the Applicant's representative at (510) 652-6418.

Respectfully submitted,  
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Dated: November 08, 2005

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